

COPY in B59

1957

April 5

Miss Edna A. Elwell, Secretary
New Hampshire Teachers Retirement System
State House Annex
Concord, New Hampshire

Dear Miss Elwell:

In response to your letter of this date, please be advised that in our opinion the Board of Trustees may accept the election filed by the guardian on March 11, 1957, if the Board finds that the teacher in question was mentally incompetent to transact business during the period when election could ordinarily be made. See Dean v. Insurance Company, 88 N.H. 416.

The effective date of the election is the date when received, viz., March 11, 1957.

This opinion should be restricted to the particular question which the Board is now considering and in the event that other questions arise on facts which are seemingly similar to the ones here involved further advice from this office should be requested.

Sincerely yours,

Elmer T. Bourque
Assistant Attorney General

ETB/lr

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